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PHARMACY, INC. and CVS
8 CORPORATION

9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

11 MERRIMAK CAPITAL COMPANY,
LLC, a California limited liability
12 company

13 Plaintiff,

14 vs.

15 CVS PHARMACY, INC., a Rhode Island
corporation; CVS CORPORATION, a
16 Delaware corporation; INNOVATION
ASSOCIATES, INC., a New York
corporation; and DOES 1-100,

17 Defendants.
18

19 Case No.: C 06-06680 BZ

20 **STIPULATION TO EXTEND TIME
FOR DEFENDANTS TO RESPOND
TO FIRST AMENDED COMPLAINT**

21 **[N.D. CAL. LOCAL RULE 6-1(a)]**

22 Honorable Charles R. Breyer

Pursuant to Local Rule 6-1(a), Plaintiff Merrimak Capital Company, LLC ("Plaintiff") and Defendants CVS Pharmacy, Inc., CVS Corporation. (collectively, "CVS") and Innovation Associates, Inc. ("Innovation"), by and through their respective attorneys of record, hereby stipulate that the time for CVS and Innovation to respond to Plaintiff's First Amended Complaint is extended by three weeks. Accordingly, Capital One shall file an answer or otherwise respond to Plaintiff's Complaint on or before January 23, 2007.

DATED: December 22, 2006.

PILLSBURY WINTHROP SHAW PITTMAN
LLP

By /s/ Wesley C.J. Ehlers

Wesley C.J. Ehlers
Attorneys for Plaintiff
Merrimak Capital Company, LLC

DATED: December 22, 2006.

REED SMITH LLP

By /s/ Natasha Sung

Natasha Sung
Attorneys for Defendants
CVS Pharmacy, Inc. and CVS Corporation

DATED: December 22, 2006.

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By /s/ Lawrence Kahan

Lawrence Kahan
Attorneys for Defendant
Innovation Associates, Inc.

January 3, 2007

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